

establish a study of opportunity in athletics. The purpose was to examine title IX and its impact on athletics.

This committee made 23 recommendations. Many of those recommendations were accepted with unanimous consent. However, there were eight recommendations that were not unanimous. Some people are now saying that since they were not unanimous, they should not be implemented. I would like to just retrace four or five of these.

First, one proposal was that the Secretary of Education be given some flexibility in implementing title IX. Currently, if 60 percent of a student body is male and 40 percent is female, then that means that 60 percent of the scholarships should go to males and 40 percent to females; and there is only 1 percent variance, so that means 59 percent would be the minimum.

We feel that this is impossible to implement because sometimes athletes quit, and sometimes they sign a letter of intent and do not show up. So a 1 percent variance is not workable, and the Secretary of Education needs variability.

Secondly, a recommendation was that private funds be able to be used if a sport was to be dropped because of noncompliance with title IX. For instance, if a wrestling program was about to be dropped because of noncompliance, then it would allow people to go out and raise money privately to keep that program going. It would not eliminate women's sports or women's opportunities; it would simply keep a sport going that is rapidly disappearing. That makes sense, but there are those who oppose this.

Another proposal is that slots on team rosters be treated the same as actual athletes. For instance, if there were 20 scholarships on the women's rowing team available, but only 10 women went out for the sport, the question is do you allow that as 20 opportunities, or do you say you just count the 10 women? If you just count the 10 women, that means you have to get rid of 10 men somewhere because of the slots not being occupied. That does not make sense. As long as the opportunity is there, we think they should be counted as certainly athletes who are in compliance.

Fourthly is the use of interest surveys to indicate school compliance with title IX. This is one of the three major problems in title IX, is the interest of the underrepresented sex being met? So the proposal is to allow interest surveys to be used, so if, for instance, there is no interest in a given school in women's rifle, then we should not have to offer women's rifle. That would make sense. But, again, this is being opposed by a few people because they feel that somehow this will undo title IX.

Lastly, there is the issue of walk-ons, something I know about to a fairly great extent. Currently, walk-ons are excluded because of the head counts.

So if there were 200 female athletes at a school and 200 male, and the student body was equally divided 50-50, that would mean if you had 100 people who wanted to walk on who were male, who would pay their own way to school, pay for some of their own equipment, that they would not be allowed out unless there were 100 female walk-ons also. Statistical studies show that women simply do not walk on anywhere near the same proportion as men, so we have thousands of young men everywhere who are excluded from competition because of title IX. There will be no more Rudys. There are no more Rudys, in many cases. Again, that does not make any sense.

Mr. Speaker, I had two daughters who competed in athletics. I have two granddaughters. I hope they compete as well. I also had a son who competed and two grandsons whom I hope will compete. I coached 2,000 young men. So I am certainly not opposed to female participation. But we need to restore fairness and balance to title IX, and I urge my colleagues to support a letter we are circulating to this effect.

SUPPORT THE KOBY MANDELL ACT OF 2003

The SPEAKER pro tempore (Mr. BISHOP of Utah). Under a previous order of the House, the gentleman from New Jersey (Mr. ANDREWS) is recognized for 5 minutes.

Mr. ANDREWS. Mr. Speaker, I rise tonight to speak on a subject that is very much on the hearts and minds of the American people, especially in these last 18 to 20 months, and that is terrorism.

Terrorism is the deliberate use of violence against civilians for the purpose of achieving a political end. Terrorism is very much on the front page of our newspapers, but it is not new to America at all. Terrorism has historical consequences, it has human consequences, and we must make sure that it has future punitive consequences as well.

This week we commemorate a sad anniversary, the 30th anniversary of the terrorist slaughter of two leading diplomats of our Nation. Thirty years ago this week, a group of Palestinian-based terrorists burst into the Saudi Arabian Embassy in Khartoum, Sudan, and held captive a group of diplomats, including some Americans. Evidence would suggest that upon orders from the leader of what was then known as the Palestinian Liberation Organization, what is now known as the Palestinian Authority, Mr. Arafat, a decision was made by these terrorists to first torture and then execute two American diplomats.

According to a National Security Agency report at the time, the murders were carried out by members of the Palestinian terrorist group known as Black September. According to a CIA report at that time, Black September was a cover term for Mr. Arafat's Fatah movement, and the murders were carried out at his orders.

This has very human consequences. Two diplomats serving their country who were murdered 30 years ago need to be remembered.

Cleo Noel was a native of Oklahoma. He graduated from the University of Missouri, earned his masters degrees from the University of Missouri and Harvard; and he had a distinguished career in the State Department.

The other murdered diplomat was George Moore, a native of Ohio who graduated from the University of Southern California where he also earned a masters degree. Mr. Moore also had a distinguished career with the State Department, and in fact was the highest-ranking African American in the Foreign Service at the time of his murder.

Terrorism must have future punitive consequences. Our Nation has been awakened to this great threat. Very recently on the 20th of February of this year the Justice Department achieved a major victory in our war on terrorism when it issued indictments for eight members of a terrorist organization known as the Palestinian Islamic Jihad, a group responsible for the murder of at least 100 civilians.

But we must have a more systematic approach to be successful in finding and bringing to American justice those who commit these acts of terror. The murderers of Cleo Noel and George Moore have never faced American justice over these last 30 years for the terrorism that they committed.

In order to give us more opportunity, more authority, to wage this war on terrorism, I have introduced the Koby Mandell Act of 2003, named after an American citizen whose life was snuffed out while outside of our country in Israel.

The purpose of this legislation is to create within the Department of Justice a permanent unit that will aggressively seek out those who have committed acts of terror against American citizens, wherever they happen to be in the world, so that American citizens can enjoy the protection of our law enforcement system wherever they may travel, most particularly in cases where the host countries are unwilling or unable to properly administer justice to those who commit such acts of atrocity.

This was the case in the case of our two martyred diplomats. The Government of Sudan released them very shortly after their arrest. They were turned over to what was then called the Palestinian Liberation Organization, and nothing happened: no trial, no meaningful prosecution, no punishment. The word went out that the price of an American life, the price of a life of an American diplomat, was nothing.

We believe differently. We respect the value of every human life, of every person of every country. We understand our obligation and our responsibility to stand forward and protect the lives of the people who have entrusted us with the governance of this Nation.

In cases where other nations are unwilling to mete out justice, we must do so. I would urge my colleagues to enlist as cosponsors of this important legislation.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

(Mr. GINGREY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mrs. MALONEY) is recognized for 5 minutes.

Mrs. MALONEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

ACTING UNILATERALLY NOT IN BEST INTEREST OF UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. HOEFFEL) is recognized for 5 minutes.

Mr. HOEFFEL. Mr. Speaker, I rise this evening to state that unilateral military action by the United States against Iraq at this time is not in our best national interest.

Certainly Saddam Hussein must be disarmed and Iraq must be rid of weapons of mass destruction. Equally clear is our power to act unilaterally and successfully against Iraq, or any other country for that matter. I am proud we have that power, and we must sustain it. But the question is not whether we will prevail against Iraq. We will, with or without help. The real question is whether it is in our best national interest to unilaterally use our awesome power against Iraq. I believe it is not.

We may not need help to win a war, but we will need help the day after the war is won, and that help must come from a multinational or a United Nations effort. We need our friends to help with peacekeeping, with rebuilding and with international credibility, and that support will be absent if we take unilateral action.

This is not about winning United Nations permission to protect ourselves. We do not need that permission. This is about winning United Nations support to protect all civilized countries from the Iraqi threat. President Bush must forge a strong coalition through continued diplomacy before using American military power. If he does not, we will be isolated and less secure, and that is not in our national interest.

President Bush very skillfully won unanimous Security Council support last fall to restart the arms inspections, and he deserves great credit for that. After the initial success, however, the administration has not been able to maintain that unity and cannot even muster unity today among the five permanent nations of the Security Council.

What is the problem here? We are talking about an isolated country with a fourth-rate military and a leader who is a murderous tyrant that has no support and no friends in the United Nations. Yet the Security Council is split. Why is that? I believe it is because of the inept, bungled, cowboy diplomacy of the President of the United States and his senior advisers.

Six months ago, after a great deal of soul searching, I voted to give the President military authority to use force to rid Iraq of the weapons of mass destruction. The President asked for that authority and said he would exhaust all diplomatic options before using it. And his strategy worked. The inspections were restarted.

I am convinced that while those inspections have not been met with enough cooperation, the inspectors' presence in Iraq has made Saddam Hussein less dangerous for the time being.

The administration has had much less success since then, and the root cause is simple: cowboy diplomacy from this administration. Every diplomatic thrust has been met with rhetoric that belies and often contradicts the diplomatic efforts. Administration spokesmen speak nearly every day with rhetoric that implies we are bent on war, with or without U.N. support, with or without our traditional and closest allies. The implication is that diplomacy is just something to take up time and distract attention until all of our troops are in place.

The Bush administration spent much of its pre-9-11 days acting unilaterally on a variety of fronts, the environment, the ABM Treaty and many other ways, even though promising a new foreign policy run with humility during the 2002 election campaign.

□ 1930

In that broader sense, it comes as no surprise that so many of our allies are not joining us now.

Then last week, in the middle of this diplomatic standoff, the administration released its plans for a post-Saddam Iraq, which included the possibility of a civilian American government. I think that is a great mistake. It will certainly be necessary, if we invade Iraq, for there to be military occupation to keep people from murdering each other for a time. That occupation will be essential; but we should not impose an American civil government.

We should be looking for a multinational or a United Nations program to provide an interim civil government, and certainly our goal has to be to establish a representative and stable Iraqi government itself. The Bush plan smacks of colonialism, and could give ammunition to those who question our motives in seeking to disarm Hussein in the first place.

It is dangerous to conduct a unilateral invasion of Iraq. It will undermine our credibility and legitimacy that this country has built up over decades of

global leadership. We must realize that when we question the motives of countries like Germany and France, they question ours. We must work with them.

I call on the Bush administration to renew its efforts to secure a broad multinational coalition or U.N. mandate to disarm Iraq.

NATIONAL SOLUTION NECESSARY FOR CRISIS OF MEDICAL LIABILITY COSTS AND OVERREACHING LAWSUITS

The SPEAKER pro tempore (Mr. BISHOP of Utah). Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

Mr. BURGESS. Mr. Speaker, I rise today to protest the increase of medical liability costs in an environment where it has become all too commonplace to name the innocent in lawsuits, drive good doctors from the practice of medicine, and play games with the health care of vulnerable patients.

This crisis has reached my home State of Texas, and even reached the cities and towns that I now represent in Congress. For instance, my neighbor, Dr. John Marsden, a vascular surgeon in my district, must pay \$6,600 per month for his medical liability coverage. That is nearly \$80,000 a year just to purchase insurance to stay in business. I do not think we would find it acceptable if other kinds of businesses had to absorb that kind of overhead.

After being named in numerous unfounded lawsuits where there has been no affirmative finding in favor of the plaintiff, Dr. Marsden notes that if he sustains another increase in his medical liability rates, he will be forced to leave his medical practice. If he ceases his surgical practice, the city of Lewisville and the outlying areas of my county would no longer have ready access to a vascular surgeon, severely impacting the health of Dr. Marsden's elderly and institutionalized patients. They would then have to travel a longer distance to receive health care, or perhaps even a life-saving operation.

Another surgeon in my district, Dr. Hatton, has an equally similar situation. Dr. Bill Hatton is a surgeon at the Medical Center of Lewisville. In 1994, he performed an operation, a gall bladder operation, on a pregnant woman. At the time, he found she also suffered from appendicitis. The appropriate operation was done and the woman was sent home to recover from her surgery.

Four weeks later, the same woman was admitted to the hospital. She had signs and symptoms of infection. She had a very high fever. It was feared that she could be suffering from peritonitis, an inflammation of the lining of the abdominal cavity, and that the cause was a breakdown of the surgical site inside her abdomen. The symptoms were so severe the patient was in what was called high output congestive heart failure. If nothing was done, the